

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

JOHNNY MILTON HOLTON, #171577

PLAINTIFF

vs.

CIVIL ACTION NO.: 3:16-CV-625-HTW-LRA

WARDEN NORRIS HOGAN, et al.

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE**

This matter comes before this court pursuant to the Report and Recommendation of the United States Magistrate Judge Linda Anderson [**Docket No. 68**], filed on January 10, 2018, recommending that the pending motion for summary judgment [**Docket No. 57**] be granted, and the complaint be dismissed with prejudice as to all Defendants. Judge Anderson then directed the *pro se* petitioner to file any objections within fourteen (14) days. The petitioner has failed to do so.

Based upon the evidence therein contained, this court finds the Report and Recommendation well taken. Therefore, the Report and Recommendation of the United States Magistrate Judge [**Docket No. 68**] is hereby **ADOPTED** as the order of this court.

Further, this hereby **DISMISSES** this lawsuit without prejudice. The parties are to bear their own costs.

SO ORDERED, this this 1st day of February, 2018.

**s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE**